

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Jerussi et al. Confirmation No.: 2257  
Serial No.: 10/806,423 Art Unit: 1617  
Filed: March 23, 2004 Examiner: Karol, J. L.  
For: Derivatives of (-)-Venlafaxine and Attorney Docket No.: 4821-536-999  
Methods of Preparing and Using the (CAM 208423-999577)  
Same

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

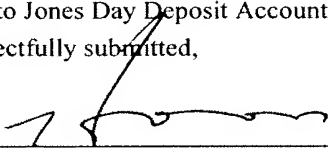
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 10, 2009 of the Primary Examiner finally rejecting claim 92 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for three month(s):  
☐ was filed on  
☒ is respectfully requested herewith.
2. ☒ A timely response to the final rejection is filed herewith.
3. ☒ A fee in the amount of \$540.00 is:  
☒ Required.  
☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$270.00 is:  
☐ Required.  
☐ Not required (Fee paid in prior appeal).
5. ☒ The fees will be paid via EFS-Web. If any other fees are required, the Director is authorized to charge such fees to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: September 10, 2009

  
Hoon Choi  
JONES DAY

64,214

(Reg. No.)

for: Anthony M. Insogna (Reg. No. 35,203)  
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